

Thursday, September 20, 2007

House Meets At...	Votes Predicted At...
10:00 a.m. For Legislative Business	Last Vote: 2:00 - 3:00 p.m.
Five "One-Minutes" Per Side	

Any anticipated Member absences for votes this week should be reported to the Office of the Majority Whip at 226-3210.

Floor Schedule and Procedure

- **H. Res. 664–Rule providing for consideration of H.R. 2881 - FAA Reauthorization Act of 2007 (Rep. Welch-Rules):** The structured rule provides one hour of general debate equally divided and controlled by the chairman and ranking minority member of the Committee on Transportation and Infrastructure. The rule provides that, in lieu of the amendment in the nature of a substitute recommended by the Committee on Transportation and Infrastructure now printed in the bill, the amendment in the nature of a substitute printed in part A of the Rules Committee report, modified by the amendment printed in part B of the Rules Committee report, shall be considered as adopted in the House and in the Committee of the Whole. The rule makes in order only those amendments printed in part C of the Rules Committee report. Finally, the rule provides one motion to recommit H.R. 2881 with or without instructions. Debate on the Rule will be managed by Rep. Welch, and consideration will proceed as follows:
 - One hour of debate on the rule.
 - Possible vote on a Democratic motion to move the previous question. **Democrats are urged to vote yes on the motion.**
 - Vote on adoption of the rule. **Democrats are urged to vote yes on adoption of the rule.**
- **H.R. 2881 - FAA Reauthorization Act of 2007 (Rep. Oberstar-Transportation and Infrastructure):** Pursuant to the rule, debate on the bill will be managed by Transportation and Infrastructure Committee Chair Rep. James Oberstar, or his designee, and will proceed as follows:
 - One hour of debate on the bill.
 - Debate and votes on amendments to the bill.
 - Possible debate and vote on a Republican motion to recommit the bill.
 - Vote on final passage of the bill. **Democrats are urged to vote yes on final passage.**

Bill Summary and Key Issues

H.R. 2881 - FAA Reauthorization Act of 2007

Funding Levels

H.R. 2881, the “FAA Reauthorization Act of 2007”, provides historic funding levels for the Federal Aviation Administration’s (“FAA”) capital programs between FY 2008 and FY 2011:

- \$15.8 billion for the Airport Improvement Program (AIP) – over \$4 billion more than the Administration’s proposal;
- \$13 billion for FAA Facilities & Equipment (F&E) – over \$1 billion more than the Administration’s proposal;
- \$37.2 billion for FAA Operations.

AIR TRAFFIC CONTROL MODERNIZATION AND NEXTGEN

- Funding: \$13 billion for FAA F&E to accelerate the implementation of Next Generation Air Transportation System (“NextGen”); enable FAA to make needed repairs and replacement of existing facilities and equipment; provide for the implementation of high–priority safety–related systems.
- Authority: Elevates the Director of the Joint Planning and Development Office (“JPDO”) to the status of Associate Administrator of NextGen within the FAA, reporting directly to the FAA Administrator.
- Accountability: Annual reporting requirements on NextGen–related deliverables; and provisions to ensure FAA vendor accountability for providing safe, quality services for automatic dependant surveillance broadcast (ADS–B) and flight service stations.
- Oversight: Authorizes Government Accountability Office, Department of Transportation Inspector General, and National Research Council audits and reports related to NextGen that will assist Congress in exercising its oversight responsibilities.

FINANCING

- Recommendation to the House Ways & Means Committee: Modest increase in the general aviation jet fuel tax rate for inflation from 21.8 cents per gallon to 30.7 cents per gallon; and increases the aviation gasoline tax rate from 19.3 cents per gallon to 24.1 cents per gallon to provide for the robust capital funding required to modernize the Air Traffic Control system, as well as to stabilize and strengthen the Airport and Airway Trust Fund.

AIRPORTS

- Passenger Facility Charge: Increases PFC cap to \$7.00 from \$4.50 to combat inflation and to help airports meet increased capital needs. Provides significant increases in AIP funding for smaller airports that are particularly reliant on AIP for capital financing.

SAFETY

- Inspector Staffing: Increases the number of aviation safety inspectors.
- Foreign Repair Stations: Requires FAA to certify that all part 145 certificated foreign repair stations are inspected twice a year.
- Runway Safety: Provides \$42 million over four years for runway incursion reduction programs; and \$74 million over four years for runway status light acquisition and installation.
- Flight Crew Fatigue: Requires the FAA to contract with the National Academy of Sciences to conduct a study on pilot fatigue, and then to consider the findings of the Academy and update, where appropriate, its

regulations with regard to flight time limitations and rest requirements for pilots.

- OSHA: Directs the FAA to initiate long-overdue action to ensure crewmember safety by applying occupational health standards on board aircraft.

ENVIRONMENT

- Phases Out Noisy Stage II Aircraft: Requires, within 5 years, all civil subsonic jet aircraft under 75,000 pounds to meet stage 3 noise levels within the 48 contiguous states, with limited exceptions for certain temporary operations.
- CLEEN Engine and Airframe Technology Partnership: Directs the FAA to enter into a 10-year cooperative agreement with an institution, entity, or eligible consortium to carry out a program for the development, maturing and certification of continuous lower energy, emissions and noise engine and airframe technology.
- Environmental Mitigation Pilot Program: Authorizes the FAA to fund six projects at public-use airports to take promising environmental research concepts into the actual airport environment to demonstrate measurable reductions or mitigation of aviation impacts on noise, air quality or water quality in the airport environment.
- Aircraft Departure Queue Management Pilot Program: Authorizes the FAA to establish a pilot program at five public-use airports to design, develop, and test new air traffic flow management technologies to better manage the flow of aircraft on the ground and reduce ground holds and idling times for aircraft to decrease emissions and increase fuel savings.
- A New "Green" Air Traffic Control Facilities Program: Calls for the FAA, to the maximum extent possible, to implement environmentally **beneficial** practices for new construction and major renovation of air traffic control facilities.

SMALL COMMUNITIES

- Funding: Increases total authorized funding for Essential Air Service each year from \$127 million to \$133 million (including \$50 million derived from over flight fees), and authorizes \$35 million annually for the Small Community Air Services Development program.
- Air Service Quality: Authorizes the Secretary to incorporate financial incentives into EAS contracts based on specified performance goals and to encourage increased air carrier participation in the EAS program, and to enter into long-term EAS contracts that would provide more stability for participating air carriers.

OTHER

- Age 60: Allows pilots to fly until age 65 under certain conditions.
- Consumer Protection: Requires airlines and airports to have emergency contingency plans in place to take care of passengers that are involved in long flight and tarmac delays. These plans must account for the provision of food, water, clean restrooms and medical care for passengers. The plans would need to be updated by the airlines every three years and every five years by airports.

Anticipated Amendments to H.R. 2881

Oberstar (MN) - Manager's Amendment. The manager's amendment requires the Federal Aviation Administration ("FAA") to begin schedule reduction meetings if aircraft operations exceed hourly maximum arrival and departure rules at airports, calls for an update of the Department of Transportation Inspector General's 2000 report on air carrier flight delays, cancellations, and causes for such delays and cancellations. Essential Air Service communities receive additional resources to help their communities continue to receive service, including a repeal of the local participation match, a notice to communities prior to termination of eligibility, procedures for the restoration of eligibility, and the creation of an Office of Rural Aviation. The manager's amendment provides for labor integration during airline mergers, directs the FAA to conduct rulemakings on flight time limitations, OSHA standards for flight attendants, and aircraft rescue and firefighting standards, and includes provisions on cabin air quality. - **10 minutes**

LaTourette (OH) - Provides the Secretary the authority to grant Airport Improvement Program funds no greater than \$1,220,000 to Lake County for the purpose of purchasing the Lost Nation Airport from the city of Willoughby. – **10 minutes**

Poe (TX) - The amendment will extend drug and alcohol testing to individuals performing maintenance work on U.S. air carriers at foreign aircraft repair stations. – **10 minutes**

Shays (CT) - The amendment requires a GAO report assessing the possibility of utilizing market-based strategies for air congestion reduction, such as incentivizing airlines to move flights to off-peak times, implementing slotting systems for airports or quotas, and comparing these strategies' effectiveness against redesigning airspace. – **10 minutes**

Waters (CA) - The amendment would state that Section 807, which establishes a working group on "Consolidation and Realignment of FAA Facilities," covers consolidation of FAA regional offices. It would also ensure that the working group could include representatives of the employees of the regional offices. – **10 minutes**

Udall, Tom (NM) - This amendment requires the Secretary of Transportation to issue regulations requiring air carriers to provide initial and annual recurring training for flight attendants and gate attendants regarding serving alcohol, dealing with disruptive passengers, and recognizing intoxicated persons. The training must include situational training on methods of handling an intoxicated person who is belligerent. – **10 minutes**

Klein (FL) - The amendment would require, subject to appropriations, that the Secretary of Transportation investigate consumer complaints regarding flight cancellations, overbooking of flights, baggage problems, ticket refund problems, incorrect or incomplete fare information, the rights of frequent flyer passengers, and deceptive or misleading advertising.

The amendment also would require the Secretary to provide, as an annex to the Department's annual budget request, an estimate of resources that would have been needed to investigate all consumer complaints received the previous fiscal year. – **10 minutes**

Neugebauer (TX) - The amendment would require the Administrator of the Federal Aviation Administration to carry out a study on the feasibility of developing a publicly searchable, Internet Web-based resource that provides information regarding the acceptable height and distance that wind turbines may be installed in relation to aviation sites and the level of obstruction such turbines may present to such sites. – **10 minutes**

Quote of the Day

'Whatever America hopes to bring to pass in the world must first come to pass in the heart of America" -Dwight D. Eisenhower

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